


COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

DEPARTMENT OF CORRECTIONS

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Part	Section	Subject	Policy No.	Review Date
Inmate Program	Mail, Telephone, Visiting	Inmate/Detainee Visitation	5.4.2	
ACA Standards		3-ALDF-5D-10 Inmate Visiting; 5D-11 Visiting High Risk Inmates; 5D-12 Special Visits; 5D-13 Extended Visits Between Inmates and Their Families.doc; 5D-15 Visitor Registration; 5D-16 Visitor Information on Transportation to the Facility		
Consent Decree		Paragraph 54 Develop Facility Policies and Procedures		

I. PURPOSE

To provide inmate/detainee visitation guidelines and procedures that will be used in the Department of Corrections (DOC) Facility.

II. POLICY

It is the policy of the DOC to permit inmates/detainees to have visits with family members, friends, attorneys, bible studies, ministers, instructors, counselors, mental health personnel, and diplomatic officials provided such visitation would not jeopardize the safety and security of the facility or the visitor. The procedure under this policy will assist the corrections officer, inmates/detainees, and visitors in ensuring that the inmate/detainee visitation program is implemented in a fair and consistent manner to all concerned.

III. DEFINITIONS

Contraband: Are weapons, explosive, drugs or drug paraphernalia, controlled medication, escape devices, intoxicants, gambling paraphernalia, money/negotiable instruments in excessive amount (\$20.00) and other items that are not authorized or approved by Commissioner of Corrections.

Family Members: Is defined as immediate family such as spouse, children, parents, foster parents, foster children, grand children, and siblings.

Lascivious: Existing sexual desires.

Non-Contact Visit: Means no physical contact except holding hands throughout the visit.

Reasonable Suspicion: Is defined as a "Subjective Suspicion, supported by objective, articulable facts that would reasonably lead an experienced and prudent corrections officer to suspect an individual is carrying contraband."

IV. PROCEDURAL GUIDELINES

A. Attorney Visit

Attorneys and/or their representatives such as investigators and paralegals are permitted to visit inmates/detainees during normal working hours unless there is legitimate reason(s) for the visit after normal hours. Attorneys and/or their representatives will be allowed to visit inmate/detainee whether the attorney is currently representing the inmate/detainee, have represented them in the past, or may represent them in the future. Attorneys and their representatives will be accommodated in seeing their clients as soon as possible unless there is a valid reason to delay such visitation. The corrections officer will fully explain to the attorney or his/her representative the earliest date and time the inmate/detainee may be visited.

B. Diplomatic Officials

All inmates/detainees have a right to communicate and be visited by diplomatic officials from the country of their origin. Corrections officers are required to assist inmates/detainees in forwarding any communication to the counselor or diplomatic officials without delay. Diplomatic officials will be allowed to visit an inmate/detainee during normal working hours, unless there is a valid reason(s) to delay such visit. Should there be a delay, the corrections officer will fully explain to the diplomatic official the reasons for the delay and shall advise the official the earliest date and time he/she may visit the inmate/detainee. The corrections officer will advise the diplomatic official that an appointment is recommended when visiting an inmate/detainee to eliminate delay and to ensure that the inmate/detainee is available.

C. Regular Visit

Each inmate/detainee will submit to the Director of Corrections a list of names, addresses, and telephone numbers of the proposed visitor, in case of a visitor, the inmates/detainees name. The Director of Corrections will review and if necessary investigate and determine whether the prepared list will be disapproved in accordance with the following guidelines:

1. The visitor is a co-defendant or accused/convicted felon with no immediate blood relationship to the inmate/detainee.
2. The inmate/detainee requests the potential visitor not be allowed to visit.
3. The visitor has a history of bringing contraband to the corrections facility.
4. The potential visitor violated DOC's rules and regulations in the past and has abused the visitation conditions.

5. The potential visitor is perceived as a serious threat to the safety and security of the facility or to the individual inmate/detainee as a result of specific actions or threats.
6. Extraordinary circumstances such as natural disaster and escape may result in temporary suspension of scheduled visitation.

D. High Risk Inmates/Detainees

1. Inmates/Detainees who are housed in Administrative Segregation, Protective Custody and Disciplinary Segregation housing units will have regular schedule visits unless otherwise specified by the Classification Unit, Operations Captain or the Director of Corrections.
2. Housing Unit Officers in Administrative Segregation, Protective Custody and Disciplinary Segregation housing units will ensure that all conditions are abide with when inmates/detainees are to visit.
3. Inmates/detainees from these housing units will be escorted to and from the housing unit to the visiting areas.

E. Approved Visitors

The inmate/detainee and/or visitor shall be given a copy of his/her approved visitors list. DOC will notify each person on the approved list of their acceptance as a visitor to the facility. Each visitor will be provided a copy of visitation regulations or they shall be explained to them by the corrections officer. Other visitors, such as prospective employer, sponsors, parole officers, religious representatives, individuals who are not listed by the inmate/detainee, and individuals doing business with the facility will be permitted to enter the facility by submitting the Visitors Registration Form to the Director of Corrections for review and approval or disapproval based on the above criteria.

F. Special Visits

1. Off-island visitors will be allowed to visit inmate/detainee during normal hours and/or regular visiting hours provided there is proof that they are from off-island and meet the visiting criteria. Off-island visitor will be denied visitation if the Director of Corrections determines that safety and security will be compromised.
2. During special visits, the Director of Corrections will determine whether the visit will be non-contact or contact visit and/or whether other conditions are applicable during the visit.

G. Disapproved Visitors

When an individual on the proposed list or other visitor's request is disapproved, the Director of Corrections will notify the inmate/detainee and the individual, the

reason/s for the disapproved. The inmate/detainee may appeal the decision in writing to the Commissioner of Corrections within twenty-four (24) hours from the time the notice was received.

G. Conditions for Visitation

All visitors shall be denied entry to the facility if they have been convicted of a felony.

1. Regular visiting days is on Tuesday through Sunday, from 08:00-11:00 and 13:00 to 16:00 hours for thirty (30) minutes per visit. Visitation schedule will be posted on each housing unit bulletin board. Extended visiting hours must be approved by the Commissioner and/or Director of Corrections. The Commissioner and/or Director of Corrections may authorize extended visit for good cause, emergency/off Island visits beyond or in addition to normal visiting hour.
2. All visitors will submit a request to visit to the Director of Corrections indicating the name of the inmate/detainee to be visited. The request form must be completely fill-out and approved by the Director of Corrections prior to the date of the visit.
3. No visits shall be allowed with the inmate/detainee prior to the request being approved indicating the approved date and time.
4. All family members and friends under the age of eighteen (18) may only visit an inmate/detainee with the permission of a parent or guardian and accompanied by an adult.
5. An unapproved visitor will be denied entry to the facility.
6. Limitations on the length or frequency of visits shall be imposed only to avoid overcrowding or the inequitable allocation of visiting time or for other compelling circumstances. Limitations on the number of visitors who may visit an inmate/detainee at one time may be imposed to prevent overcrowding in the visiting area and to minimize difficulties in supervising the visit. An inmate/detainee will not have more than three visitors per visit.
7. Assigned Visitation Officers are responsible for the maintenance of order in the visiting area. This shall be accomplished while also maintaining a courteous attitude toward the inmate/detainee and his/her visitors.
8. Visitation Officers shall not interfere with the actions of the inmate/detainee or his/her visitors unless they are found to be a risk to the facility's safety and security and/or in violation of this policy and procedure.
9. At no time will a conversation between inmate/detainee and visitor be eavesdropped or monitored unless authorized by the Director of Corrections.

H. Visitor Registration

1. All visitors entering the DOC facility must register using the Visitor Registration form. The visitor must register his/her name, residential address, telephone and relation to inmate/detainee (see page 8).
2. Visitors who refused to register will be denied visit.
3. Visitors must provide picture identification such as driver's license, passport, or alien worker's permit for proof of identity.

I. Termination and/or Suspension of Visits

Visits may be terminated and/or suspended under the following circumstances:

1. An inmate/detainee and/or visitor violate DOC's visiting rules, provided that such rules are explained to the inmate/detainee and/or visitor.
2. Visitor fails to prevent children from disturbing other persons in the visiting area.
3. The inmate and visitor engage in excessive contact with the inmate such as kissing, fondling, caressing, and other lewd or lascivious acts. The inmate may embrace and kiss briefly at the beginning and the visitor and inmate may hold hands during the remainder of the visit. Contact restrictions shall not apply to children.
4. Other reasons exist for denying, terminating, suspending a visit which are reasonably necessary to preserve the safety and security of the facility and reasonable order in the visiting area.
5. Prior to the termination of a visit or suspension of visiting privileges for any of the above reasons, less restrictive alternatives will be resorted to, if reasonably possible under the circumstances. Such alternative may include warning the inmate/detainee and/or visitor of improper conduct or rule violation.
6. Prior to terminating a visit, the Visitation Officer will inform the Shift Commander. The Shift Commander will investigate and determine whether terminating the visit is reasonable under the circumstances. When a visit is terminated by the Shift Commander, the officer taking action shall prepare and submit a self-statement incident report. The report shall state specific reasons for the action. Based on the officer's self-statement and the investigation conducted by the Shift Commander, a report will be issued to the visitor whose visit is being terminated stating the reason or reasons for terminating the visit. The report will state also that the visit termination may be appealed to the Director of Corrections through the Inmate Grievance procedures. A copy of the report shall be given to the inmate/detainee, Operations Captain, Classification, Director of Corrections and Commissioner of Corrections.

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7. Visiting privileges shall be suspended only by the Director of Corrections except where the suspension is imposed as part of a formal disciplinary proceeding. Suspension of visiting privileges when in isolation as a disciplinary sanction is automatic. Prior to suspending visits, a notice shall be given to both the inmate/detainee and the visitor of the reason for the possible suspension and they shall be allowed to submit statement in contesting suspension to the Director of Corrections. The Director of Corrections will reevaluate the proposed suspension taking into consideration the contesting statements. If the inmate/detainee and/or the visitor are still not satisfied, the matter may be appealed to the Commissioner of Corrections.
8. Based on the information provided by the officer and by the inmate/detainee and/or the visitor, the Director of Corrections may remove an individual's name from the approved visiting list for specified period, or indefinitely/permanently. A written notice of the Director of Corrections decision, including a statement of reasons shall be given to the inmate/detainee and to the visitor. The statement of reasons may be deleted to the extent it would jeopardize the safety and security of the facility or the safety of the individual. In the case of suspension, the notice shall include a date when reapplication for visiting privileges may be made on behalf of the visitor.
9. The Director of Corrections may temporarily suspend visiting privileges pending the completion of the above process.

J. Searches

1. Searches are not to be used as punishment or harassment, but to prevent the introduction of weapons and/or contraband from entering the facility. Searches will be conducted in a manner to avoid unnecessary force, destruction of property, or embarrassment to the visitor. Searches of incoming visitors are critical to ensuring the safety and security of the facility, the inmates/detainees and visitors. To that extent, all visitors are subject to pat-down search when they first enter the facility. Searches will be conducted by two officers, male and female. Same sex officer will do pad-down on the visitors, and/or inmate/detainee. The following are essential, and may be expanded, in maintaining a safe and secure facility.
2. Both pat-down or frisk search and the use of metal detector may be employed on visitors. They should be used in accordance to the Control of Contraband policy and procedure. Refer to the Control of Contraband policy and procedure.

K. Transportation to the Facility

Due to Saipan being a small island, DOC does not provide services such as escorting inmate's/detainee's families to the facility for visitation.

and the court's decision to grant the motion to dismiss. The court's decision to grant the motion to dismiss was based on the court's interpretation of the relevant provisions of the statute of limitations. The court held that the plaintiff's cause of action accrued on the date of the filing of the complaint, and that the plaintiff had failed to file the complaint within the applicable statute of limitations period. The court also held that the plaintiff had failed to establish that the defendant's conduct was willful or恶意的, which would have tolled the statute of limitations.

The court further held that the plaintiff had failed to establish that the defendant's conduct was willful or恶意的, which would have tolled the statute of limitations. The court also held that the plaintiff had failed to establish that the defendant's conduct was willful or恶意的, which would have tolled the statute of limitations. The court also held that the plaintiff had failed to establish that the defendant's conduct was willful or恶意的, which would have tolled the statute of limitations.

Plaintiff filed a motion for rehearing, which was denied by the court. Plaintiff appealed the court's decision to the United States Court of Appeals for the Ninth Circuit, which affirmed the court's decision.

Plaintiff filed a petition for writ of certiorari with the Supreme Court, which denied the petition. Plaintiff filed a complaint in the United States District Court for the Northern District of California, which dismissed the complaint. Plaintiff appealed the court's decision to the United States Court of Appeals for the Ninth Circuit, which affirmed the court's decision.

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Plaintiff filed a petition for writ of certiorari with the Supreme Court, which denied the petition. Plaintiff filed a complaint in the United States District Court for the Northern District of California, which dismissed the complaint.

Prepared By: John M. Ayuyu
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Deputy Director of Corrections

10-80-07
Date

Reviewed By: Gregory F. Castro
Gregory F. Castro
Director of Corrections

10/30/07
Date

Approved By: Lino S. Tenorio
Lino S. Tenorio
Commissioner of Corrections

10/31/07
Date

DEPARTMENT OF CORRECTIONS
Visitor Registration

